# KID GLOVES 79C a pair

A line of real Kid Gloves. in green and heliotrope. Also, a line of 7-hook and 4-button Kid Gloves, in tans, browns, greys and blacks. \$1 and \$1.50 values.

LOOK FOR THEM

The front Bargain Table to-day.

## **PettisDryGoodsCo**

AMUSEMENTS.

English's-"Dr. Syntax." Once more DeWolf Hopper, that leviathan of comic opera, is in Indianapolis, and once more the dramatic critic finds himself without a single peg on which to hang an argument. Hopper's art exemplifies the unconscious egotism of genius. It has no more affinity with criticism than the comic-paper tramp with a lanvenderwater bath, When Hopper takes the stage and there is none who takes it more completely, the hypnotized audience follows him, wholly forgetful of everything else. He is the brass band of the parade, for which the surging crowd awaits with ill-concealed impatience, and then eagerly follows, splitting the air with its shouts until the circus tent opens and swallows him up. It matters little whether it be "Wang," "Panjandrum" or "Dr. Syntax," the result is ever the same. In "Dr. Syntax" Hopper has attempted to disguise the extravagant Oriental potentate with which the public had become familiar, and which had perhaps become a trifle passe, but the attempt is a failure. It is always

but the attempt is a failure. It is always Hopper, king of them all, and each time he is entered for the championship cup. "Dr. Syntax" is the best entertainment Hopper has had on the road since he began starring. He does not make his entrance on the horns of a Spanish toro nor on the back of a malarajah's traveling car, but he is chased on by a mongrel terrier that wouldn't frighten a kindergarten pupil. It is sufficiently ludicrous to invite a heavy outburst of applause, and from this time on the opera proceeds with a rush of melody and fun. His dress is the garb of an old-fashioned pedagogue, with great flapping coat tails opening to the middle of the back. During his wild dances Hopper manipulates the divided skirt of his coat in a way to produce n a way produce affordr that was never afford-his costumes in former operas.

The first act closed with four curtain calls. In the second act Hopper has an extravagant "tipsy" scene with Alice Hosmer, whose flowery costume affords great possibilities in her dances. Here he was encored until he gave several Hopperesque recitations, including the ever-delightful "Casey at the Bat," in reply to loud calls from all parts of the house. The opera winds up with a Yale-Harvard boat race, in which the entire company takes a realistic part as spectators. Cheever Goodwin has tried himself in making the libretto entertaining, and Woolson Morse's music seems to have a familiar ring, as if arranged from airs picked up here and there, but which are more pleasing than any of his former attempts. The farewell song and chorus in the second act is the prettiest bit in the opera, and as musical as the well-remembered lullaby song in "Erminie."

Hopper has surrounded himself with the Cheever Goodwin has tried him

Hopper has surrounded himself with th best company of comedians and singers yet seen in his support. Of these the women undoubtedly excel, and of the women pretty Edna Wallace Hopper easily takes the first rock. women pretty Edna Wallace Hopper easily takes the first rank. Mr. and Mrs. Hopper may be said to represent the long and short of comic opera. The little soubrette wife of the big star is swung around by her giant husband in the dances as if she were no more than a rag baby, on one occasion being taken up in his arms and made to describe a complete somersault in the air. Edna Wallace fairly divides the honors with Hopper in the schoolroom scene when she leads the seminary girls in the Yale yell and inspires her companions to much deviltry. Jennie Goldthwaite's original performance as Psyche Persimmons was another hit in the opera and received a large share of the applause. Bertha Waltzinger in the prima donna role has a sweet voice, and sings several songs nicely suited for display. Her duet with the tenor, Edmund Stanley, was enthusiastically encored. In fact, encores in "Dr. Syntax" added at least a half hour to the performance last night. Alfred Klein, he little comedian, who has been with Hopper for several seasons, has a picturesque role as Lord Lawntennis, with little to say outside of a stammering and arotesque address to the seminary girls. A akes the first rank. Mr. and Mrs. Hoppe grotesque address to the seminary girls. A new face in Hopper's company is that of Cyril Scott, the well-known comedian, who is a good actor, and helps to complete several of the well-known which the

I of the taking scenes in which the ing women are prominent. "Dr. Syntax" one of the few comic operas with a sain, that gentleman being Professor owles, played by Thomas Guise, whose art is mainly designed to complicate the The audience last night was as large, if not larger, than any opening night Hopper has had in this city. The engagement continues to-night and to-morrow, with a matinee Wednesday afternoon.

Park-"The White Squadron. There was no half-hearted enthusiasm at the Park yesterday. It was the genuine article and coming from crowds that filled the theater to the stairways, it made noise enough to evoke nearly a dozen curtain calls during the four acts. At the close of the third act the curtain had to be raised four times at both the matinee and evening performances. The attraction was "The

In Our Great Grandfather's Time, big bulky pills were in general use. Like the "blunderbuss" of that decade they were big and clumtive. In this cent-

ury of enlightcument, we have Dr. Pierce's cure all liver. stomach and bowel derangements in the most effective

a little now and then, with a gentle, cleansing laxative, thereby removing offending matter from the stomach and howels, toning up and invigorating the liver and quickening its tardy action, and you thereby remove the cause of a multitude of distressing diseases, such as headaches, indigestion, or dyspepsia, biliousness, pimples, blotches, eruption-boils, constitution, piles, fistulas and

maladies too numerous to mention. If people would pay more attention to properly regulating the action of their bowels, they would have less fre-quent occasion to call for their doctor's services to subdue attacks of dangerous

That, of all known agents to accomplish this purpose, Dr. Pierce's Pleasant Pellets are unequaled, is proven by the fact that once used, they are always in favor. Their secondary effect is to keep the bowels open and regular, not to further constipate, as is the case with other pills. Hence, their great popularity, with sufferers from habitual constipation,

oiles and indigestion.

A free sample of the "Pellets," (4 to 7 loses) on trial, is mailed to any address, post-paid, on receipt of name and address an postal card.

idress, WORLD'S DISPENSARY MEDI-AL ASSOCIATION, Buffalo, N. Y.

White Squadron," a play formerly seen at the Grand and a strong card for popular-priced houses. The cast included W. A. Whitecar, Frederick Julian, Robert Nell, J. W. Smiley, Tom Martin, Charles Macklin, J. Edwin Leonard, Laura Almosnino, Laura Booth, Edith Julien and others.

Receiver for "Bob Fitz's" Show. BALTIMORE, March 4.-Judge Wright, in the Circuit Court, to-day, granted Capt. Glori's petition for the appointment of a receiver for the Bob Fitzsimmons show, which is performing in this city this week. In his application Manager Glori alleged that he had been advised that the receiver

appointed at Buffalo last week has no juris-diction in Maryland. appointed at Bunalo last week has no jurisdiction in Maryland.

Fitzsimmons, in speaking to a reporter of his troubles, says: "I have been robbed right and left by the men whom I trusted, and they have succeeded in nearly ruining me. I have determined to stand it no longer. My show will disband at the close of our week here, and will start fresh with Martin Julian at the head of it." The withdrawal of Captain Glori, Bob says, will not affect his match with Corbett. "It is my money that is up. Glori has \$750 in it. If he wants to leave that there, all right. On account of the trouble I had over the death of Riordan I have been compelled to ask Mr. Corbett to grant me a little time, and he has done so. My money will be forthcoming, and Glori will have nothing to do with it."

Actor George Reynolds Dead. NEW YORK, March 4.-George Reynolds, a well-known actor, dropped dead to-day at his residence, 206 East Thirty-fifth street. Heart disease was the cause. Mr. Reynolds was forty-five years old and had been on the stage thrity-five years. His last engagement was with the "Vale of Avoca" company at Buffalo. The family of which Mr. Reynolds came was made of actors, his brother, a female impersonator, died two years ago and two of his sisters were killed in a railroad accident several years ago. His mother is at present lying at the point of death in a hospital in this city.

Notes of the Stage. Edward J. MacDowell, perhaps the fore-most American composer, delighted the musical people of New York last week with two recitals. Walter Sanford has revived Dion Bouci-cault's famous drama, "The Shaughraun," with Louise Thorndyke Boucicault as the peroine and Edward J. Heron as Conn, the

Next week Mrs. Langtry will open at Palmer's Theater, New York, in Clyde Fitch's new play, "Gossip." Her English supporting company leave for home this week, and she will be provided with new people by Mr. Palmer. One of Oscar Wilde's latest plays, "An Ideal Husband," which was produced not long ago at the Haymarket Theater, in London, is now in rehearsal at the Lyceum Theater, and will be Manager Daniel Frohman's lenten offering at that house, following "The Case of Rebellious Susan" next work.

The story of James Herne's "Shore Acres" is very like that old poem, "The Quarrel," one of Whitcomb Riley's most pathetic reading selections, the author of which Mr. Riley has for years vainly endeavored to leave "Shore Acres" has no deavored to locate. "Shore Acres" has no villain in the cast, but there is any amount of simple, homely beauty, including both the comedy and pathos of everyday life.

#### PERSONAL AND SOCIETY.

Mr. Hervey S. Humphrey has gone to Chicago for a few days. Miss Grace King, of Cherry street, has been visiting friends at Rushville. Miss Olive Sauxy, of Madison, is visiting ster, Mrs. Robert Browni Dr. L. F. Page will sail for Europe the 26th, to be absent several months. after spending several weeks at Noblesville. Mrs. H. S. New will entertain a few friends Friday evening for Miss Carlton, of Terre Haute. Mrs. J. R. Young is expected home this week after spending a few weeks with friends in Chicago. Mrs. A. J. Decker, of Paducal. Ky., is he guest of Mrs. Preston Bowman, No. 0 West St. Joe street. Mrs. Charles Gardiner Koot, of Minneap-olis, is visiting her sister, Mrs. Hamline Schmidlap, No. 184 Bellefontaine street. The Brownie Cinch Club will be enter-tained by Mr. and Mrs. Will Connor, 221 Bellfontaine street, Wednesday evening. Mrs. Claude Matthews has returned from Greensburg, where she assisted her daugh er, Mrs. Cortez Ewing, in a reception last

Mrs. Ernest E. Sherman has been called to Terre Haute to attend the funeral of her uncle, Mr. George Buteman, which will occur to-day. Mr. and Mrs. Jacquelin S. Holliday will not be in their new home this week, and will therefore not have their first reception,

as announced, before Wednesday of next The annual reception at the Katherine Home, at the corner of North Capitol ave-nue and Eleventh street, will be held to-morrow afternoon. All friends of this home for old ladies are invited.

The Woman's Auxiliary of Christ Church met yesterday afternoon with Mrs. J. K. Lilly, "Mission Work in China and Ja-pan" was the subject of a paper read by Mrs. John W. Jones, Mrs. Amelia R. Hale read an original story. Misses Mary and Juliet Menzies, of Mount Vernon, will come to-morrow to visit Mrs. Henry Schurmann, No. 575 North Pennsylvania street. Mrs. Schurmann has issued invitations for a reception Thursday afternoon for the Misses Menzies, Miss Sayres, of Kansas City, and Miss Zollars, of Fort Wayne

Prof. William Caldwell, of the Northwest-ern University, will be the guest of the Fortnightly Literary Club next month. One evening he will give a talk on "The Gospel of Leisure," builded on observations of the national characteristic of "hustling." While here Professor Caldwell, who is Scotland and an honorary degree graduate of Edinand an honorary degree graduate of Edin-burgh University, will meet the Fortnightly

The Veritas Club held its semi-annual meeting at the home of Miss Nannie Lawrence, on College avenue. Officers were elected as follows: Mr. M. P. Wright, president: Miss Pearl Perry, vice president; Miss Lenn Osborn, secretary and treasurer; Mr. Albert Courtwright, Miss Lilly Willets and Miss Lillian Greist, executive committee, Papers were read by Dr. J. S. Baily on "Holmes as a Physician," and by Miss Lillian Greist on "Holmes as a Literary Lillian Greist on "Holmes as a Literary

'haracter." The Moreta Literary Club met Saturday afternoon at the Propylacum and elected the following officers: President, Miss Harriet Shepard; vice president, Miss Harriet Cleland; secretary, Miss Nina Bond; treasurer, Miss Lucy Mayo; executive committee, Miss Julia Walk chairman, Miss Mary Alice Slean, Miss Harriet Cleland. The programme for the next year will be arranged gramme for the next year will be arranged by the executive committee. The members of the club are nearly all graduates of the llassical School. Their meetings are held every two weeks.

Mrs. F. L. Mayer invited a few yo people yesterday to meet her guests, Miss Zoller and Miss Lou Zoller, of Greensburg, informally. The house, with its pretty furnishing, was simply arrayed with a few flowers in vases. The only married friends invited were Mrs. William Scott and Mrs. myited were Mrs. William Scott and Mrs. Samuel Cornell Carey, who presided at the tea table. The appointments were all in blue and white, delft ware being used with the dainty embroideries. Tea was served at 4 o'clock. Among the guests were Miss Sayres, of Kansas City; Miss Carlton, of Terre Haute; Miss McCornick, of Salt Lake City, and Miss Taylor, of Brooklyn. WADDALL-TUTTLE.

Special to the Indianapolis Journal. JEFFERSONVILLE, Ind., March 4.- James A. Waddall, a wealthy citizen of Carlisle, Ill., and Miss Ida L. Tuttle; of Memphis, were married yesterday at the residence of Sheriff-elect J. J. Hawes. Only the relatives and a few intimate friends were present. The couple left to-day for their new home in Illinois.

Dividends of Fall River Mills. FALL RIVER, Mass., March 4.—G. M. Haffards & Co., brokers, have issued their quarterly report on mill dividends. It states that the amount paid for the quarter was \$220,425, on a capital of \$21,048,000. The average dividend was 1.37 per cent. of the stock represented. In addition the Kerr thread mills paid a dividend of 2½ per cent. on a capital of \$1,000,000. The amount paid cut in dividends exceeds the amount paid for the quarter ending in December by nearly \$80,000. The Troy mill paid 4 per cent. on a capital of \$300,000. The Bourne mill was next, with its regular dividend cent, on a capital of \$300,000. The Bourne mill was next, with its regular dividend of I per cent, monthly. The Flint, Narragansett, Stafford and Union mills paid 2 per cent. Most of the other corporations per cent, paid 1/2 per cent,

Murder and Probable Spicide. PHILADELPHIA, March 4.—William Hodgetts, who was shot by his brother Joseph, Friday night, because he refused to loan the latter a dollar, died early this morning, Immediately after shooting his brother Joseph fled, and the police officials believe he has committed suicide. On the night of the shooting a young man answering the description of Joseph lumped from the ferry boat Pennsylvania, plying between Camden and Philadelphia. All efforts to revover the body have proved fulle, owing partly to the heavy ice in the Delaware.

JUDGE BAKER ERRED!

UNITED STATES SUPREME COURT REVERSES COFFIN CASE.

Erred in Failing to Instruct the Jury in Regard to a Presumption

The United States Supreme Court yesterday reversed Judge Baker's decision in the cases of Percival B. and Francis A. Coffin. charged with conspiring to wreck the Indianapolis National Bank, which closed its doors July 25, 1893. The reversal is based upon two errors in the charge to the jury; but the claim that the Coffins could not be convicted of wrecking a bank with which they had no official connection was not sustained. The failure of Judge Baker to instruct the jury that the prisoners must be presumed to be innocent until the contrary is proved, is one of the errors upon which the case was reversed, and the charge that a correct entry of a fraudulent transaction, although actually entered in accordance with the transaction, constitutes a faise entry, is the other.

The opinion of the court was rendered by Justice White, who, in the preliminary statement of the case, characterized the indictment as prolix and redundant, and added that "the charges were commingled in a very indefinite and confusing manner." In its opinion the court considered first the objections made to the indictment generally, based upon the contention that all the counts fail to charge offense; second, the exceptions reserved to rulings of the court during the trial, the effect of which is to assail the verdict and judgment without reference to the validity of the indictment. As to the first, the court held that the language of the statute fully answers the first contention, as to adopt the construction contended for would destroy the letter and violate the spirit of the law. Nor is the contention sound that the particular act by which the aiding and abetting is consummated must be specifically set forth. It is laid down as a general rule that in an indictment for soliciting or inviting to the commission of a crime, or for aiding or assisting in the commission of it, it is not necessary to state the particulars of the indictment or solicitation, or of the aid or assistance.

Second-As to the contention that all the counts are bad because it is not charged that the aiders and abetters knew that Haughey was president at the time it is averred the acts were committed, the court holds that the statute cited has no applicaholds that the statute cited has no application to this cause. Without entering into
any necessities of grammar, the court holds
that the plain and unmistakable statement
of the indictment as a whole is that the
acts charged against Haughey were done
by him as president of the bank.

Third—The court holds that the counts
averring the actual conversion of the sum
misapplied to the use of any particular person are sufficiently clear and strong.

Fourth—The court holds that the instruction that the government's case has failed from that the government's case has failed if no evidence has been placed before the jury showing that the names of the persons to whose use the sums were misapplied was

rightly refused.

As to the forty-fourth charge, it is held that, whilst the court refused to instruct as to the presumption of innocence, he indoubt. It is well settled that there is no error in refusing to give a charge precisely as requested, provided the instruction actually given fairly. ally given fairly covers and includes the instruction asked. The condition here is that struction asked. The condition here is that the charge given by the court on the subject of reasonable doubt substantially embodied the statement of the presumption of innocence; therefore, the court was justified in refusing in terms to mention the latter. The authorities upon this question are few and unsatisfactory. In Texas it has been held that it is the duty of the court to state the presumption of innocence along with the doctrine of reasonable doubt, even the doctrine of reasonable doubt, even though no request be made to do so. It is doubtful, however, whether the rulings in the Texas cases were not based upon the terms of a Texas statute and not on the

"In Indiana it has been held error to re "In Indiana it has been held error to refuse," the court said, "upon request, to charge the presumption of innocence even though it be clearly stated to the jury that convictions should not be had unless guilt be proved beyond reasonable doubt. (Long vs. State, 46 Ind., 489; Line vs. State, 51 Ind., 175.) It may be that the paucity of authority upon this subject results from the fact that the presumption of innocence is so elementary that instances of denial to charge it upon request have rarely occurred. charge it upon request have rarely occurred.
"In order to determine whether the pre-sumption of innocence and the doctrine of sumption of innocence and the doctrine of reasonable doubt are equivalents of each other, we must first ascertain, with accuracy, in what each consists. Now the presumption of innocence is a conclusion drawn by the law in favor of the citizen, by virtue whereof, when brought to trial upon a criminal charge, he must be acquitted unless he is proved guilty. In other words, this presumption is an instrument of proof created by the law in favor of one accused whereby his innocence is established. cused whereby his innocence is established until sufficient evidence is introduced to overcome the proof which the law has created. This presumption on the one hand, supplemented by any other evidence he may adduce and the evidence against him on the other, constitute the elements from which the legal conclusion of his guilt or innocense is to be drawn.

"Greenleaf thus states the doctrine: 'As men do not generally violate the penal code, the law presumed every man innocent; but the law presumed every man innocent; but some men do transgress it, and therefore evidence is received to repel this presumption. This legal presumption of innocence is to be regarded by the jury in every case as matter of evidence, to the benefit of which the party is entitled.

"The Criminal Law Magazine, January, "The Criminal Law Magazine, January, "The cave." This presumption is in the notice.

'88, says: 'This presumption is in the notice of evidence in favor of the accused, and a knowledge of it should be communicated "To say that the presumption of innocence and the doctrine of reasonable doubt are the equivalent of each other is to say that legal evidence can be excluded from the legal evidence can be excluded from the jury, and that such exclusion may be cured by instructing them correctly in regard to the method by which they are required to reach their conclusion upon the proof actually before them. In other words, that the exclusion of an important element of proof can be justified by correctly instructing as to the proof admitted. The importance of the distinction of the two is peculiarly emphasized here, for after having declined to instruct the jury as to the predeclined to instruct the jury as to the pre-sumption of innocence, the court said: 'If, after weighing all the proof and looking only to the proofs, you practically and honestly entertain the belief, etc. Whether thus confining them to the proofs and only to the proofs would have been error if the to the proofs would have been error if the jury had been instructed that the presumption of innocence was a part of the legal proof, need not be considered, since it is clear that the failure to instruct them in regard to it excluded from their minds a portion of the proof created by law, and which they were bound to consider. The proofs and proofs only confined them to those matters which were admitted to their consideration by the court, and among the consideration by the court, and among the elements of proof the court expressly refused to include the presumption of innocence, to which the accused was entitled, and the benefit whereof both the court and the jury were bound to extend him. The court also sustained the twenty-sec-ond exception to the ruling of the court and sustained the error in the charge.

The court regarded the contention that the indictment was void because the check offered to show the payment of the money was for dollars, and not pounds sterling, as stated in the indictment, as without merits.

On the subjects of the counts covering the charge of false entries in the books of the bank, charges 18 and 19 were made and refused. "While we think the charges asked were in some respects unsound, yet the excep-tion reserved to the charge actually given by the court was well taken, because therein the question of misapplication and of false entries are interblended in such a way that it is difficult to understand what was intended. We think the language must have confused the jury. The thought covered implied that the truthful entry of a fraudulent transaction constitutes a false entry in the meaning of the statute. The making of a false entry is a concrete offense which is not committed where the transaction en-tered actually took place and is entered exactly as it occurred."

WILL BE TRIED AGAIN. The Decision Not Against the Merits of the Case.

It is understood by the attorneys for the government that the decision of the higher court puts the case back as it was when the grand jury returned the indictments against the Coffins. The attorneys say the decision will not affect the sentence of Theodore P. Haughey, and will not interfere with the trial of Schuyler Haughey. Judge Baker declined to discuss the opinion of the higher court. He says that he prefers to wait until he has read the whole opinion before he talks of the merits of the deci-sion. District Attorney Burke is not in the

city, and his assistant, Elmer Corr, had not heard of the reversal at 3 o'clock yesterday afternoon. He displayed no surprise when told that the case had been sent back.

"I have not heard anything of it," he said, "and don't know what part of the record has been criticised by the higher court. I presume, however, it is on a technical error, and if such is the case it will have nothing to do with the indictments against Schuyler Haughey. I am not particularly surprised; we felt that there must be some conflict of opinion or the Supreme judges would not have withheld their decision so long."

FAVORITE WINS AGAIN

LOW BIDS FAIL IN A SCHOOL BOARD

CONTRACT.

Dr. Clarke Tells the Board of the Evils of Vaccination — Board Makes

John W. Kern, who assisted the government in the prosecution of the Coffins, said:
"As the reversal seems to be based on points in Judge Baker's charge the case will, of course, be tried again. The government is prepared to convict, and we think we can win the case before any

jury."

Judge Baker was asked yesterday for an Expression in regard to the decision of the Supreme Court. He simply shook his head, declining to be interviewed.

HISTORY OF THE CASE. Story of the Bank Failure and Subsequent Trial of the Coffins. The story of the failure of the Indianapolis National Bank and the subsequent conviction of three of its wreckers opened Tuesday morning, July 25, 1833, when the institution closed its doors. A notice posted on the outside announced the bank's suspension and alarmed its patrons. The institution had been looked upon as one of the solid concerns of the State. The splendid reputation for integrity possessed by its president, Theodore P. Haughey, and the fact that the bank was the depository of United States funds had done much to inspire and retain this confidence. Great was the surprise of Indianapolis citizens when a few days after the suspension rumors of trregularities on the part of some of the officials began to prevail. The first suspicion that the bank had been wrecked came with the visit of Hugh Young, a bank expert, who was sent here by the Controller of the Currency. Acting upon a telegram from the Controller Cashier Rexford declined to do business until the arrival of the bank examiner, and on Thursday, Aug. 3, 1893, Edward Hawkins, of the Indiana School-book Company, took charge of the insolvent institution as receiver. One week later President Haughey and wife filed at the county recorder's office a mort-gage on twelve lots in the north part of the

gage on twelve lots in the north part of the city to secure certain promissory notes held by the bank. The same day mortgages were filed by the Indianapolis glue works, the Indianapolis curled-hair works and the Independent Ice Company on their respective plants. These mortgages were also to secure paper held by the bank, as follows: Indianapolis glue works, six promissory notes, aggregating \$7,799.19: Indianapolis curled-hair works, nine notes, aggregating \$40,000; Independent Ice Company, nine notes, aggregating \$7,800.

The rumor that the bank had loaned larger sums than the law permitted was confirmed when the mortgage for \$40,000 larger sums than the law permitted was confirmed when the mortgage for \$40,000 was filed by the Indianapolis curled-hair works. The Indianapolis cabinet works, controlled by Francis and Percival Coffin, were put into the hands of the Union Trust Company Tuesday, Aug. 8, 1893, the day following the filing of the mortgages on the curled-hair and glue works, and on Aug. 9 Receiver Hawkins instructed the United States district attorney to investigate the reported violations. The arrest of five men followed this order. They were Theodore P. Haughey, Schuyler C. Haughey, Francis A. Coffin, Percival B. Coffin and Albert S. Reed. The arrests were made on the affidavits of the receiver. The United States grand jury, which convened during the month of November, 1893, indicted the five men, with E. E. Rexford, cashier of the looted bank, and R. B. F. Peirce, one of the stockholders. In April, Theodore P. Haughey, the Coffins and Theodore P. Hzughey, the Coffins and Albert S. Reed were arraigned for trial in the United States Court. Early in the session Theodore P. Haughey pleaded gu'llty, but sentence was reserved until the close of the trial. The case was seriously interrupted after two weeks by the charge of corruption being made against one of the jurors, who was sent to the penitentlary. The Coffins and Albert S. Reed were found guilty, but the latter was released on sus-pended judgment. Frank Coffin was sento the penitentiary for ten years, Percival Coffin was given a sentence of five years and Theodore P. Haughey got off with six years. The Coffins spent but a few days in prison until they were released on a writ of supersedeas granted by the United States Supreme Court.

What the Coffins Are Doing. Frank A. Coffin and wife are in Port Chester, N. Y., where the former is manager of a gas company, the place being secured for him by his brother, William E. Coffin. Percival B. Coffin is connected with the water works at Santa Fe, N. M. Mrs. Coffin is with her husband. Frank Coffin is under bond in the sum of \$25,000. His brother's bond is \$12,000. It is understood that both will be compelled to renew their bonds as soon as the records in the case are sent here from Workington.

are sent here from Washington. Haughey Will Not Be Moved. Warden French was in the city yesterday and was asked about the rumor that Theodore P. Haughey was to be removed to the in the government of the northern prison. The warden said he did not believe such a plan had been proposed and said that the removal could only be made by the President of the United States.

### CITY NEWS NOTES.

The teachers of the Girls' Industrial School will meet this afternoon in the Meridian-street M. E. Church. The Ladies' Aid Society of Tabernacle Church will give a recipe reception Tuesday afternoon, from 2:30 to 5 o'clock, in the

Thomas Post will hold its last meeting before the State Encampment to-night, and for that reason a full attendance of past A letter from ex-Attorney-general Smith, who is in Florida, to a clerk in his former office says his son Turpie's health is very the lad will recover.

nel with breaking up a large amount of her household furniture and she swore out a Governor Matthews yesterday reappointed Dr. Mary Spink, a memoer of the State Board of Charities, and appointed Aquilla Jones to succeed 'nomas M. Wiles, of Greensburg. The terms of the two members had expired yesterday.

To-morrow night the Science Club will discuss "The Origin of Some of Our Common Mathematical Notions." The paper will be by Prof. C. A. Waldo, of DePauw. John S. Thurman will read a paper on 'Railways of the Future."

The Association of Progressive Photogradays' annual convention at Maennerchor Hall to-day. This is the first convention of the association. The officers are: Adam Heimberger, New Albany, president; George H. Holliway, Terre Haute, vice president; E. E. Shores, Vincennes, secretary; Ben Larrimer, Marion, treasurer. There will be a number of representatives of photographic supply houses from over the country pres-

Now the Lying Will Begin. Township Assessor Wolf will soon begin property and improvements on real estate and the quadrennial reappraisement of real estate. The work will be done by two forces of men. One under Deputy Assessor McDonald will look after the value of personal property and Mr. Wolf will be in charge of the men who reappraise real

"No Checkee, No Washee."

Martin Car has been having his laundering done at the establishment of Jim Lee, a Chinaman, at 282 West Washington street. Recently he lost a check for some launch and Jim declared that "no checkee, no washee" and refused to give up the goods. Car went to 'Squire Walpole and had his goods replevied.

Conde Building to Be Four Stories. The contract has been let for rebuilding the block which was occupied by the Conde Implement Company and which was destroyed by fire. George J. and Maria Rhodius are the owners. The new plans, prepared by J. H. Stem, provide for a four-story building, costing \$23,000.

The Hayward murder trial was postponed yesterday on account of the illness of attorney Nye and juror Dyer.

'Tis Sozodont the whole world tries,
'Tis Sozodont which purifies
The breath and mouth, and dirt defies.
'Tis Sozodont for which we cry,
Sweet Sozodont for which we sigh,
'Tis only Sozodont we buy,

Light of the Matter.

The Indianapolis School Board was in a

ocular mood last night. It was the first neeting of the board since the members were loosed from the grasp of the legislative inquisitors. Commissioners Loeper and Adam were not present. Commissioner Blackledge came in as the meeting adjourned. The members were extremely flippant, and indulged in playful badinage, and capered and scampered about and exchanged delightful little confidences. The first matter to occupy the attention of the board was a communication from Dr. W. B. Clarke, who went into an exhaustive protest against the rules of vaccination now being observed by the department of education. During the reading of Dr. Clarke's protest the board cut up like high-school girls on an outing. The members giggled and snickered and were generally unruly. They were amused because the Doctor quoted Byron and referred to the city Board of Health as an "insignificant organzation that rules with despotic sway in this land of the free and the home of the brave." Commissioner Hendrickson did not want the communication read.

"Oh, what's the use of reading all that." he groaned as the secretary hauled the manuscript out of her desk. "We have all heard about it and everybody knows what

"I insist on having it read," called out Commissioner Russe, with a twinkle in his eye, and the members proceeded to seek easy positions. Dr. Clarke's communication was as follows: To the Honorable Board of School Commis-

sioners:
Section 38 of the Rules and Regulations for the government of the public schools of Indianapolis begins as follows:
"No pupil shall be admitted into any public school who cannot furnish satisfactory evidence that he or she has been vaccinated or otherwise secured against smallpox."

The undersigned respectfully desires to inquire what legal right the School Board has to exclude healthy, well-behaved children from the right and privilege of education in your schools, and how it acquired that right

or power.
About all the real and practical benefit About all the real and practical benefit that the great majority of our citizens receive for the money which they pay as taxes comes to them through you, namely, in the form of the free education of their children in the public schools. Again I ask, why should you, and by what right do you, deny unvaccinated children their inalienatics with a resultance of education in the ble right and privilege of education in the

This is hardly the place to discuss the question of vaccination from a purely medical standpoint; but there are ethical, legal and hygienic points pertaining to your of-ficial connection with this large question which should be considered by you, some of which I now desire to briefly bring to your The great bulk of the medical and educa-

tional intellect of the world has for man

years been egregiously vitiated and deluded by the ridiculous superstition we call vacci-nation, which has no scientific foundation, and is still less grounded on common sense. But of late years many scientific menphysicians, statesmen, authors and educa-tors—have declared and proved that vaccination is entirely inefficacious as a preventer smallpox, and that instead it really a desseminator and causes of sickness and disease, and even predisposes to an attack of smallpox if done in an epidemic time, as anything must which so greatly lowers the tone of the system and lessens its power of re-sistance to contagion. While not one child in 20,000 gets smallpox, your board, or, rather, a previous board, seems to think nothing of its responsibility in at one time making 10,000 children more or less sick by ordering a general vaccination, un-der penalty of deprivation from education. Were not the order tyrannical it would seem fantastic, as in it there is nothing inherent of a sanitary or disease-repressive nature, since those who do not obey the order remain healthier than those who do and mingle unrestricted with the others, in any other place than the schools, in any part of the city, at any time. part of the city, at any time.
In general terms it may be stated that

those who oppose vaccination do so solely for the good of the community and humanity, while those who uphold it do so either through ignorance or from mercenary motives, the knavish amaurosis of self-interest. It seems incongruous that you who are at the head of the educational department of this city should have to confess that you stand in the position of ignorance regarding this important matter, or, rather, that you are willing to indorse and continue a rule which is but a relic of a superstitious age. "Of all forms of anarchy the official variety is the most repugnant to any people possessing even a remnant of political or social freedom." The public schools of this country are the very bulwark of liberty, the sure foundation of the republican form of government of which we are so proud and boast so much about, and the very postulatum of the spirit enlightened by the varied acquirements of centuries. Your act compelling vaccination against the wishes of parents and pupils is well calculated to disturb and warp the young minds of the growing generation confided to your care, as it is a willful and bungling desceration of inalienable human rights which have come to us from the time of primeval man and are modernly official variety is the most repugnant to any the time of primeval man and are mode guaranteed by the Constitution of Inited States. Byron sings "I wish to be free, as much from mobs as kings, from you as me." Therefore, I make bold to urge that steps be taken at once by this honorable and use ful body to expunge from its school rules the antiquated, unjust and obnoxious one which requires the vaccination of chil-dren as a prerequisite of admission to the schools, so repugnant to so large a proportion of our citizens, to say nothing of the children themselves ity for ordering the vaccination of all pu-

If it be urged that your so-called authorpils or candidates for admission to the schools comes through direction from the Board of Health the answer is that even that board has not the power or right to order the vaccination of any one against his or her will, or of any child against the wishes of its parents or rightful guardians, as I shall herein show later on. The position of the School Board toward the Health Beard should be seen of dignity, not mortal. Board should be one of dignity, not menial-ity. It should say, If you want your dirty work done do it yourself. It should refuse longer to be made a cat's paw of in this mat-ter. The School Board should emerge from its attitude of monumental weakness in this matter and refuse longer to be the police faithful dog-like servant. In its despicable work of overriding the wishes and convic tions of the people, ever remembering that it, as well as the Health Board, is the servit, as well as the Health Board, is the servant of the people, not the master. Heretofore this question has well illustrated the fact that "not only crowds but sanhedrims are infected with public lunacy." Therefore the present invitation to expunge your vaccination rule affords you a rare opportunity of performing a duty and service to the people of this community, which will result people of this community, which will result in incalculable good to them and reflect honor upon you because of the example you will thus set before the world. While it is true that in the past our citizens have generally acquiesced in the matter of vaccination per order, or at least made no organized opposition to it, as have those of many other places in this State and out of it toyer two hundred public school pupils in Terre Haute, for instance, as stated above, that there is absolutely no legal authority for the act, nor can there ever be. The word vaccination does not appear within the covers of the does not appear within the covers of the Revised Statutes of the State of Indiana. If the Legislature had desired to legalize vaccination it would have gone through the form of doing so, but as it did not do so it is not part of the duty or right of any State or local officer or the State Board to attempt to enforce it. The act creating the State Board of Health does not even mention vaccination, and the entire machinery for enforcing the board's rules and regulations is notoriously incomplete, indefinite and inefficient. For example, the chief officers of the board are continually bewailing in the public prints and the annual reports the fact that it cannot compel or induce even its own county officers to make their official reports, and that less than half of the cases of contagious diseases and the total of deaths (except of this bugbear of the cases of comagions diseases and the total of deaths (except of this bugbear smallpox) ever get reported to the board.

The State Board of Health claims the right to order vaccination by virtue of Section 5 of the law creating that body, Section 5 of the law creating that body, which says it "may adopt rules and by-laws to prevent the outbreak and spread of contagious and infectious diseases." Clearly nothing so indefinite could have been intended as an authorization or recognition of vaccination; indeed, by its very wording the Board of Health should be debarred from vaccinating, especially in an epidemic time, because vaccination never prevents an outbreak of smallpox, and greatly facilitates its spread when an out-

break occurs, as I explained above, and as illustrated by the death of 2,600 children in Montreal in 1835. The board has made a number of rules, arbitrary in character, the enforcement of which amounts to buildozing usurpation. Even its far-famed so-called "police" pretext rule, through which it seeks to enforce vaccination, by the board's own self-made wording, requires exposure to smallpox as a prerequisite of the necessity for vaccination; yet, with unblushing elasticity, it interprets that a case of smallpox in Muncie constitutes exposure to the children of Terre Haute or Indianapolis, and autocratically orders their wholesale vaccination, an order which your board slavishly helps to carry out.

Vaccinia is a disease, and often one which permanently impairs the integrity of the bodily health, and no man, not even a "health" officer, has the right to disease another against his will. Disease is most often a result of the disobedience of law; therefore, to compel the infraction of law, in the name of law, is a subversion of the very principle upon which general law is based. But our insignificant Health Board, with its characteristic bumbledom, in its interpretation of its "police" powers, dwarfs into insignificance the generous provisions of our national and State Constitutions, and rules with despotic sway, with no one to object or no authority to say it nay. And all this in America, "the with no one to object or no authority to say it nay. And all this in America, "the land of the free and the home of the brave." It is paternalism of the worst sort, a rene of monarchy, of old-world government, and

has no business here in a great republic, much less to be encouraged and supported by boards of education. by boards of education.

Judge Hord, when Attorney-general of Indiana, rendered a notable decision bearing on this matter when he said: "The Health Board possesses no power of private espionage or unnecessary interference with the private rights of person or property." If there is anything which a man owns in this world it is his own blood, and just as each man has the unquestioned right to in this world it is his own blood, and just as each man has the unquestioned right to choose his own political party, religious denomination and physician, and to say whether or not a surgical operation shall be performed on his body, just so is he entitled to the right to say whether or not he will receive vaccination for himself. And is not a parent responsible for the physical and moral well-being of his child? If compulsory vaccination is not "interference with private right" it would be very hard to say what is. Many a case of "assault and battery" has been made out in court on far less ground. Attorney-general Hord in this same opinion said that "The board cannot make regulations that are unreasonable, arbitrary and oppressive." The

cannot make regulations that are unreasonable, arbitrary and oppressive." The vaccination rule and order is all of these—unreasonable because enforced when there is no smallpox in town, and because vaccination does not prevent smallpox; arbitrary, because of the unauthorized and ridiculous penalties attached (one of which, through you, is deprivation from education), and oppressive because it officially makes invalids of the well, without indemnification for sickness, loss of time or expense incurred. And all this directed not at an evil, but at the shadow or possibility of an evil.

The Board of Health claims much authority through the so-called "police power" pretext. The courts of other States have repeatedly declared that the thing called police power has never been fully described nor its extent limited, but that it is not above the Consitution of the United States, and that it cannot destroy any interested by protected by is not above the Consitution of the United States, and that it cannot destroy any liberty or franchise expressly protected by that Constitution. Now, it is easy to see that vaccination cannot rightfully be enforced through the "police power" pretext, for the great Constitution says: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor deprive of property without due process of law." Each citizen pays, directly or indirectly, a school tax, which, through you, is used for maintaining the public schools. In return for this tax he is guaranteed certain rights, benefits and privileges, consisting mainly of the blessing of having his children educated in the public schools, though even then he has to enrich the paper manuferble."

even then he has to enrich the paper manufacturers, so lavishly are "tablets" and blank books required. And for the great mass of our citizens, as I said above, about all they receive in return for all taxes paid is this privilege of free education of their children in your schools. Now your board, by this vaccination rule or order, takes away a constitutional right from every citizen of decided conviction in regard to vaccination, and that, too, arbitrarily, and even then he has to enrich the p citizen of decided conviction in regard to vaccination, and that, too, arbitrarily, and without "due process of law." Can you not see your danger before the law in maintaining this position any longer? Almost as Othello says, "You rob me of that which not enriches you and makes me poor indeed." Again I ask, can you not in your goodness of heart find a desire and willingness to relieve this community from the ness to relieve this community from the oppressive vaccination incubus now hangoppressive vaccination incubis now hanging over it, at least as far as your department is concerned, and thus earn the undying gratitude of those citizens who abhor both the practice and the compulsory part of it, and yet leaving those who desire to receive the superstitious rite free to do so through the regular channels? Ever remember that a day of reckoning comes at last on all such questions, and that by now abrogating this hideous vaccination rule you may avert a suit for damages against the city at some future time because of injury

done through it.

The rock of ages upon which anti-compulsory vaccination stands is that the moral sense of mankind is outraged by the offi enforcement of the preposterous proposition that it is necessary to poison the healthy blood to insure health, and it is this moral sense which gives each man the right to refuse to obey such criminal legislation, either for self or children. That great student of human affairs, John Stuart Mill, says: "No state can be called free when a says: "No state can be called free when a man has not perfect control over his own health, bedily, mental and spiritual." And no truer words were ever spoken than those of a prominent eddcator in England, Prof. Newman: "Against the body of a healthy man or infant even Parliament has no right of assault whatever under pretense of the public health. No lawgiver can have the right, and such a law is an unendurable usurpation, and creates the right to resistance." Yours respectfully.

WILLIAM B. CLARKE, M. D.

WILLIAM B. CLARKE, M. D. 188 Blackford street. At the conclusion of the reading the board fell into a wrangle as to the proper disposition of the matter. Commissioner Appel wanted to push it off on to the committee on judiciary. An indignant protest came from Commissioner Roth. He said the question was one that could only be settled by the committee on hygiene. Commissioner Appel was obdurate and won his

point. The board took up the bids on school enumeration and promptly awarded the contract to the favorite bidder. The bids were as follows: Peck & Newcomb, 69 cents a hundred; Weller Shaffer, 67 cents a hundred; Jesse L. Bell, 75 cents a hundred; Henry Coons, 66 cents a hundred; W. A. Brown, 83 cents a hundred; W. Tolin. 60 cents a hundred. The board discussed the bids of Peck & Newcomb and Mr. Tolin. The latter was 9 cents lower than the former bidder, and his estimate was accompanied by letters of reference from some of the substantial and best known business. of the substantial and best known business men of the city. The firm of Peck & New-comb have been doing the enumerating for several years, and several members of the several years, and several members of the board were in favor of awarding the contract to them. A vote was taken, which resulted in giving the work to this firm. Commissioners Russe and Vonnegut voted against it. It will cost nearly \$300 to take the school enumeration this year.

Superintendent Goss reported that Prof. Saulsberry, of the University of Chicago, has been engaged to instruct the teachers in landscape gardening. Lessons will be given at the Manual Training School. The board appropriated money for the use of this department some months ago.

The resignation of Miss Madeline Madison, a grade teacher at school No. 25, was son, a grade teacher at school No. 25, was accepted by the board. The appointment of Miss Frances Fish was reported, subject to assignment by the superintendent.

Warrants were ordered drawn on the treasury for \$1,271.58.

Dr. Clarke's Reasons. Dr. Clarke, who was in attendance at the meeting, was seen by a Journal reporter, vaccination question before the School Board. and at this time, said: "Because the times are ripe. Vaccination is a voodoo, a superstition, and because a large and influential proportion of the medical profession continues to hug this grotesque delusion to its heart, and even refuses to inspect the literature of the subject, is no reason why the people, and especially the boards of education, the servants of the people, cannot study it. It is as the British Weekly says; 'The doctors can have their way almost entirely if they are unanimous. Whenever the unanimity is broken the authority goes.' The unanimity on the vaccination subject has been so shattered within the last few years that it is now hopelessly beyond repair. There is no reason why the people of Indianapolis, like those of other cities, cannot refuse to be led by the nose by a few irresponsible officials, as they have been for many years. If Philadelphia can rebel, surely Indianapolis can do the same, for there is more legal provision for vaccination in Pennsylvania than there is in Indiana. Yet in Philadelphia, last May, through pressure brought to bear by the press and the people, the Board of Education threw down the gauntiet to the Board of Health and declared that no discrimination between vaccinated and unvaccinated pupils should longer be made, and that the school doors should thereafter be thrown open to all alike. Last fall the question so agitated New Britain, Conn., that a monster mass unanimity is broken the authority goes. prevents an outbrenk of smallpox, and kreatly facilitates its spread when an out-

# SPRING NEEDS

What Everybody Requires at This Season.

Some Things Are of the Utmost Importance to You.

This Will Tell You Just What You Most Need Now, and How to Get It

In the spring changes always take place There is a tired, languid feeling, a depresion, the digestive organs become deranged, the blood is bad, causing the complexion to become affected and the person feels an inability to work.

At such a time a spring medicine is absolutely necessary. It will overcome all these conditions. It will invigorate the blood, regulate the digestive organs, clear the complexion, and make you feel strong

Read what Mrs. W. H. Smith, of No. 74 Sutton street, Providence, R. I., has to say. "I was taken sick five years ago with the grippe. It left my whole system and especially my nerves in a terribly weak condition. I was dreadfully nervous, and lost almost complete control of myself. I was all discouraged and did not know what I should

"My limbs were swollen, my feet ached and I had pains all over my body. I got scarcely any sleep, and what little I did get did me no good, I took many remedies, but without benefit. Finally hearing Dr. Greene's Nervura blood and nerve remedy highly recommended, I determined to use it. "After taking one bottle I was almost entirely cured of all my troubles. My nerves were strong and the pain left.me, the swellng disappeared and I could sleep well. Thanks to this wonderful medicine I am cured. I wish every sufferer might use it." The reason why you should take Dr. Greene's Nervura blood and nerve remedy is, because it is the surest and quickest medicine in its action known. It positively and permanently cures all forms of nervous weakness and exhaustion, invigorates the blood and gives health and strength. Take it now, for Dr. Greene's Nervura blood and nerve remedy will do more for you than any other remedy. It is the best spring medicine

It is not a patent medicine, but the prescription of the most successful living specialist in curing nervous and chronic diseases, Dr. Greene, of 35 West 14th street, New York city. He has the largest practice in the world, and this grand medical discovery is the result of his vast experience. The great reputation of Dr. Greene is a guarantee that his medicine will cure, and the fact that he can be consulted by anyone, at any time, free of charge, personally or by letter, gives absolute assurance of the beneficial ac-

meeting was held to protest against the autocratic action of the School Board in ex-cluding unvaccinated children from the pubat which separate schools were established for the benefit of the unvaccinated, at the expense of the taxpayers. The Board of Education then backed down, and extended the privileges of the schools without discrimination, until a decision could be rendered by the highest court of the State. So our School Board need have no hesitation or compunctions of need have no hesitation or compunctions of conscience on the ground of establishing a conscience on the ground of establishing a procedent, for the ground has been well broken for the seed, especially as the word vaccination cannot be found in the statutes of our State, as it can in those of some of the States where protests have been made. As intimated, the ground has been well broken for the seed, and I am proud that it has just been my great privilege to sow the broken for the seed, and I am product hat he has just been my great privilege to sow the seed, as far as this city is concerned. In any event, it is no part of the official duty of the Board of Education to fall down and worship the Board of Health's idol, vaccination, and should wash its hands of the manual paragraphy.

#### whole nauseating business." AFFECTS \$600,000,000.

(Concluded from First Page.) officials filed an exception in the court below, setting forth that the remedy was not by an action at law, but by injunction and bill of equity and that the court was without jurisdiction. Justice Shiras sustained this view, reversing the judgment of the court below and remanding the cause with directions to sustain the exception and dismiss the suit. Various points raised in the miss the suit. Various points raised in the case, such as the right of the parish to assess bank stock, were not passed upon

case, such as the right of the patient of assess bank stock, were not passed upon by the Supreme Court.

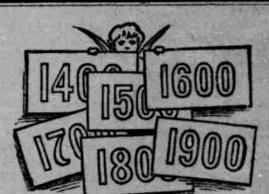
The decision of the court below was affirmed in the case of Byron H. Evers, et al., appellants, vs. Thomas Watson, et al., appealed from the Circuit Court for the Northern district of Mississippi. The case involves 600,000 acres of delta land and 150,000 acres of pine lands in Mississippi. Evers, an Englishman, owed Watson \$165,000 on the lands and they were sold at a commissioner's sale. Evers alleged that fraud was practiced, but the court refused to sustain the charge.

A decision was handed down in the case of the Pullman Palace Car Company against the Metropolitan Street-railway Company, of Kansas City, Mo., the judgment of the lower court being reversed with costs and the cause remanded with directions to enter a judgment in favor of the Pullman company for the sum of \$47,500 with interest thereon from March 30, 1888, at the rate allowed by the laws of Illinois. The opinion was rendered by Justice Harian, Justice Brewst taking no part in the consideration or decision. taking no part in the consideration or de-

An American Fabian Society. OAKLAND, Cal., March 4.—On the billa near Joaquin Miller's home, Lawrence Grontund, the Socialist, yesterday preached to a congregation of friends, who, at the conclusion of the address, pledged themselves to work for the good of humanity. They formed themselves into an organization similar to the famous Fabian Society of London. The society declares its purpose to be the study of socialism and the spread of its doctrines.

The way to reach catarrh is through the blood. Hood's Sarsaparilla, by purifying the blood, removes the cause of the disease and permanently of the cause of the disease. and permanently cures catarrh. Take only

Hood's Pids act easily, yet promptly at effectively, on the liver and bowels. 25c.



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and over, the whole world has been coming to Carlsbad to be cured. Disorders of the stomach, of the liver, of the bowels, of the kidneys and bladder, gout, rheumatism, diabetes, obesity-

all have been sent to Carlsbad. Here is the very same remedy now, right at your own doorthe Carlsbad Sprudel Salt (the water solidified and put into powder form at the spring). You need it for constipation, for indigestion, for biliousness, just as much as in other and graver allments. All druggists keep it. But see that you obtain the genuine imported, with the signature of "EISNER & MENDELSON Co., Sole Agents, New York." on every bottle.